



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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8800 Cal Center Drive  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor

Charles K

July 3, 2006

Mr. Robert L. Smith  
Chief, Civil Engineering Division  
U.S. Coast Guard  
1301 Clay Street, Suite 700N  
Oakland, California 94612-5203

### POINT PINOS LIGHTHOUSE INVESTIGATION AND TRANSFER TO THE CITY OF PACIFIC GROVE, CALIFORNIA

Dear Mr. Smith:

Thank you for your letter dated May 19, 2006 regarding the investigation and proposed transfer of the Point Pinos Lighthouse, Pacific Grove, California from the Federal Government to the City of Pacific Grove. You requested the Department of Toxic Substances Control (DTSC) review the submitted investigation report and sign a quit claim deed transferring the lighthouse in an "as-is" condition to the City of Pacific Grove. We have reviewed the site investigation report and the quit claim deed and concur with the proposed transfer and use restrictions, but request you make the changes to the quit claim deed as described below.

The Phase II Lead Contamination Assessment Report, January 2006, provides the results of lead sampling conducted around the lighthouse. Lead concentrations in soil ranged from 6 mg/kg to 6490 mg/kg. Risk analysis using DTSC's Lead Spread Model indicates the lead concentrations would pose a significant risk to humans for a residential use scenario but not a significant risk for a commercial/ industrial use scenario. Based on the mandated future use as a historic landmark and operational aid to navigation, use restrictions will provide a remedy that is protective of human health and the environment.

Based on the particular conditions associated with this property transfer, DTSC will not require a separate land use covenant. In accordance with DTSC regulations,

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alternatives to a land use covenant may be utilized under certain circumstances. Current and future restrictions placed on the property to retain its function as an operating Federal Aid to Navigation and its listing in the National Register of Historic Places will prevent future residential use. Separately, the deed includes restrictions on future use, restriction monitoring and reporting, and requires a Department approved soil management plan for any soil disturbances.

DTSC appreciates the effort the U.S. Coast Guard has taken to coordinate this property transfer, and recommends future lighthouse transfers be handled similarly. As stated above, DTSC requests the following changes to the quit claim deed:

- 1) Remove DTSC's signature block from the quit claim deed;
- 2) Modify section "10. L Reporting" to section "10. L Reporting. The Owner shall provide written notice to the Department of any violations identified during annual inspections and corrective actions taken, within 30 days of the date of the inspection."
- 3) Add a section "Notices to the Department" and state the following: "Notices to the Department shall be made to: Department of Toxic Substances Control, Office of Military Facilities, Attn: Charlie Ridenour, 8800 Cal Center Drive, Sacramento, CA 95826."

Please provide me with a copy of the final signed quit claim deed for our records. If you have any questions or comments, please contact me at (916) 255-3571.

Sincerely,



Charles Ridenour, P.E.  
Chief, Federal Facilities Unit  
Office of Military Facilities

cc: The Honorable Sam Farr  
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Salinas, California 93901

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cc: Mr. Jim Colangelo  
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